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File No. 10-90920

Attorneys for Secured Creditor,
SYSTEMS & SERVICES TECHNOLOGIES, INC.

UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF ARIZONA

In re:

Chapter 13

RICHARD J. ZIMMER AND LINA M.
ZIMMER,

Case No.: 2:10-bk-07210-SSC

Debtor(s).

SYSTEMS & SERVICES TECHNOLOGIES,
INC.,

Movant,

vs.

RICHARD J. ZIMMER AND LINA M.
ZIMMER, Debtor; EDWARD J. MANEY,
Trustee,

Respondents.

**OBJECTIONS TO PROPOSED CHAPTER 13 PLAN
AND CONFIRMATION THEREOF**

SYSTEMS & SERVICES TECHNOLOGIES, INC., Secured Creditor in the above-
entitled Bankruptcy proceeding, hereby submits the following Objections to the Confirmation of
that certain Chapter 13 Plan proposed by Debtors:

1 This objecting Secured Creditor is the lien holder on the subject vehicle generally
2 described as: 2002 Harley Davidson FXSTDI, VIN 1HD1JBB192Y035819.

3 Debtors propose a cram-down of Secured Creditor's Contract in Debtors' Chapter 13
4 Plan.

5 Debtors propose a fair market value of \$8,140.00 for the subject vehicle.

6 Secured Creditor contends that the fair market value of the subject vehicle, based upon
7 blue book analysis, is actually \$8,600.00. Attached hereto as Exhibit "A" is a copy of the blue
8 book analysis and by this reference incorporated herein.

9 Consequently, if Debtors have afforded a cram-down of Secured Creditor's Contract, the
10 Chapter 13 Plan should reflect a fair market value for the subject vehicle of \$8,600.00.

11 Debtors further propose an interest rate of 4.250% at which the value of Secured
12 Creditor's collateral would be paid.

13 The contract rate of interest on the subject Note is 9.99%.

14 Given the disparity between the proposed interest rate and the contractual rate, Secured
15 Creditor contends that the interest rate should be determined to be 9.99%.

16 Secured Creditor further requests the Court award Secured Creditor \$250.00 in attorney's
17 fees for the necessity of this Objection and that said fees be paid by the Debtor either through the
18 Plan or directly to Secured Creditor prior to completion of the Plan.

19 20 CONCLUSION

21 Any Chapter 13 Plan proposed by Debtor must provide for and eliminate the Objections
22 specified above in order to be reasonable and to comply with applicable provisions of the
23 Bankruptcy Code. It is respectfully requested that confirmation of the Chapter 13 Plan as
24 proposed by Debtor be denied.

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WHEREFORE, Secured Creditor prays as follows:

(1) That confirmation of the proposed Chapter 13 Plan be denied.

(2) For attorney's fees and costs incurred herein.

(3) For such other relief as this Court deems proper.

MILES, BAUER, BERGSTROM & WINTERS, LLP

Dated: April 22, 2010

By: /s/ Jeremy T. Bergstrom, Esq.

Jeremy T. Bergstrom, Esq.

Attorney for Secured Creditor

(10-90920/objaznv.dot/sla)

1 **CERTIFICATE OF MAILING**

2 The undersigned hereby certifies that on April 22, 2010, a copy of
3 Secured Creditor's **OBJECTIONS TO PROPOSED CHAPTER 13 PLAN AND**
4 **CONFIRMATION THEREOF** was served by depositing a copy of same in the United States
5 Mail, in a postage prepaid envelope, addressed to:

6 DEBTOR:

Richard J. Zimmer
7 Lina M. Zimmer
PO Box 6046
8 Sun City West, AZ 85376

9 ATTORNEY FOR DEBTOR:

Brian C. Dault
10 Dault & Associates PLLC
908 W. Chandler Blvd Suite D
11 Chandler, AZ 85225

12 CHAPTER 13 TRUSTEE:

Edward J. Maney
13 P.O. Box 10434
Phoenix, AZ 85064

14 I declare under penalty of perjury under the laws of the State of Nevada that the
15 foregoing is true and correct.

16 /s/ Sara Aslinger

17 An Employee of Miles, Bauer, Bergstrom & Winters, LLP

18 (10-90920/objaznv.dot/sla)
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Exhibit A

MODEL	T Y E	Pst. Disp. CCs	S R Y C K	S P D L S	Dry Wt.	Rough Sugg List	Clean Trd-In W/S	Clean Trd-In W/S	Avg Retail
2002 HARLEY-DAVIDSON (CONT)									
XL883 HUGGER	R	883	4	2.5	489	6335	2425	2705	2580
XL883C	R	883	4	2.5	489	6975	2555	2850	3225
XL883R	R	883	4	2.5	503	6695	2465	2745	3010
VRSC V-ROD	R	1130	4	2.5	598	16985	5535	6235	7875
XL1200	R	1200	4	2.5	491	9415	2940	3275	3575
XL1200C	R	1200	4	2.5	491	9575	3070	3420	4400
XL1200S	R	1200	4	2.5	501	8875	3445	3835	4570
FLHR ROAD KING	R	1450	4	2.5	723	16450	7400	8245	9375
FLHRD ROAD KING CLSC	R	1450	4	2.5	710	17545	7525	8365	9785
FLHRD ROAD KING...	R	1450	4	2.5	723	17050	7775	8655	9475
FLHT ELEG GLIDE	R	1450	4	2.5	765	13895	6700	7465	7945
FLHTC ELEG GLIDE CLSC	R	1450	4	2.5	776	17030	7940	8850	9395
FLHTC ELEG GLIDE CLSC	R	1450	4	2.5	776	17630	8360	9315	10070
FLHTCUI UL CLSC EL GLIDE	R	1450	4	2.5	798	19995	8605	9590	11435
FLSTC HERITAGE SFTL CLSC	R	1450	4	2.5	696	17140	7465	8320	8785
FLSTC HERITAGE SFTL CLSC	R	1450	4	2.5	696	17740	7595	8465	9375
FLSTF FAT BOY	R	1450	4	2.5	696	16390	7620	8490	9330
FLSTF FAT BOY	R	1450	4	2.5	685	16990	7755	8640	9940
FLSTS HERITAGE SPRINGER	R	1450	4	2.5	717	17880	8450	9420	10285
FLSTS HERITAGE SPRINGER	R	1450	4	2.5	717	18480	8955	9860	10905
FLTR ROAD GLIDE	R	1450	4	2.5	731	16400	6650	7410	8190
FLTR ROAD GLIDE	R	1450	4	2.5	731	17000	6705	7475	8220
FXD DYNA SUPER GLIDE	R	1450	4	2.5	612	12135	4635	5225	5580
FXD DYNA LOW RIDER	R	1450	4	2.5	612	15380	5695	6345	7540
FXD DYNA WIDE GLIDE	R	1450	4	2.5	614	16535	5850	6630	8275
FXDWG3	R	1450	4	2.5	648	22935	8575	9555	10710
FXDX DYNA SUPER GLD SPORT	R	1450	4	2.5	620	14135	5810	6475	7210
FXDXT SUPER GLD T-SPORT	R	1450	4	2.5	642	15135	6080	6775	7550
FXST SOFTAIL	R	1450	4	2.5	629	13235	5860	6535	7640
FXSTB NIGHT TRAIN	R	1450	4	2.5	630	15190	6200	6910	8065
FXSTB NIGHT TRAIN	R	1450	4	2.5	630	15790	6570	7320	8450
FXSTD SOFTAIL DEUCE	R	1450	4	2.5	653	17140	7300	8135	9205
FXSTD SOFTAIL DEUCE	R	1450	4	2.5	653	17740	7550	8415	9650
FXSTI SOFTAIL	R	1450	4	2.5	629	13835	6460	7205	7795
FXSTS SPRINGER SOFTAIL	R	1450	4	2.5	645	16560	6680	7445	8430
FXSTS SPRINGER SOFTAIL	R	1450	4	2.5	645	17180	6815	7595	8690
FLHRSEI SCREAMIN EAGLE	R	1550	4	2.5	741	24995	10790	12030	12865
- 2001 -									
XL883	R	883	4	2.5	489	5775	2145	2385	2590

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JANUARY THROUGH APRIL 2010
DEDUCT FOR REPAIRS

MODEL	T Y E	Pst. Disp. CCs	S R Y C K	S P D L S	Dry Wt.	Rough Sugg List	Clean Trd-In W/S	Clean Trd-In W/S	Avg Retail
2001 HARLEY-DAVIDSON (CONT)									
XL883 HUGGER	R	883	4	2.5	486	6235	2245	2500	2835
XL883C	R	883	4	2.5	489	6875	2490	2710	3075
XL1200	R	1200	4	2.5	481	8315	2705	3015	3590
XL1200C	R	1200	4	2.5	491	9415	2905	3240	4075
XL1200S	R	1200	4	2.5	501	8775	3270	3645	4250
FLHR ROAD KING	R	1450	4	2.5	723	16180	6790	7565	8705
FLHRD ROAD KING CLSC	R	1450	4	2.5	710	17245	6980	7760	9315
FLHRD ROAD KING	R	1450	4	2.5	723	16890	7175	7995	8865
FLHT ELEG GLIDE	R	1450	4	2.5	758	13595	6220	6935	7420
FLHTC ELEG GLIDE CLSC	R	1450	4	2.5	776	16750	7255	8085	8745
FLHTC ELEG GLIDE CLSC	R	1450	4	2.5	776	17550	7790	8685	9435
FLHTCUI UL CLSC EL GLIDE	R	1450	4	2.5	788	19790	8240	9180	10910
FLSTC HERITAGE SFTL CLSC	R	1450	4	2.5	698	16820	7300	8185	8920
FLSTC HERITAGE SFTL CLSC	R	1450	4	2.5	696	17620	7360	8205	9515
FLSTF FAT BOY	R	1450	4	2.5	668	16080	7335	8175	9300
FLSTF FAT BOY	R	1450	4	2.5	668	16880	7435	8290	9630
FLSTS HERITAGE SPRINGER	R	1450	4	2.5	717	17545	7890	8760	9700
FLSTS HERITAGE SPRINGER	R	1450	4	2.5	717	18345	8325	9280	10110
FLTR ROAD GLIDE	R	1450	4	2.5	731	16120	6555	7305	8160
FLTR ROAD GLIDE	R	1450	4	2.5	731	16920	6570	7320	8180
FXD DYNA SUPER GLIDE	R	1450	4	2.5	612	11710	4525	5040	5595
FXD DYNA LOW RIDER	R	1450	4	2.5	614	15180	5260	5960	7210
FXDWG DYNA WIDE GLIDE	R	1450	4	2.5	612	16280	5545	6160	7660
FXDWG2	R	1450	4	2.5	660	21995	8405	9370	9875
FXDX DYNA SUPER GLD SPORT	R	1450	4	2.5	619	13960	5370	5985	6720
FXDXT SUPER GLD T-SPORT	R	1450	4	2.5	642	14960	6820	7665	8980
FXST SOFTAIL	R	1450	4	2.5	629	12775	5655	6305	6915
FXSTB NIGHT TRAIN	R	1450	4	2.5	630	14875	6075	6770	7595
FXSTB NIGHT TRAIN	R	1450	4	2.5	630	15675	6435	7170	7970
FXSTD SOFTAIL DEUCE	R	1450	4	2.5	645	16820	7160	7980	8770
FXSTD SOFTAIL DEUCE	R	1450	4	2.5	645	17620	7335	8175	8925
FXSTI SOFTAIL	R	1450	4	2.5	629	13575	6090	6765	7295
FXSTS SPRINGER SOFTAIL	R	1450	4	2.5	653	16275	6505	7250	7920
FXSTS SPRINGER SOFTAIL	R	1450	4	2.5	653	17075	6760	7535	8320
FLHRSEI SCREAMIN EAGLE	R	1550	4	2.5	804	23995	10025	11170	12120
- 2000 -									
XL883	R	883	4	2.5	489	5525	2020	2250	2365

JANUARY THROUGH APRIL 2010
ADD FOR OPTIONAL EQUIPMENT

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